

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

(1) FILOMENO MONTEIRO, and
(2) CHRISTIAN COLLINS,

Defendants

SEALED

) Criminal No. 20CR10076
)
) Violations:
)
) Count One: Conspiracy to Distribute and to
) Possess with Intent to Distribute 40 Grams or
) More of Fentanyl
) (21 U.S.C. § 846)
)
) Count Two: Distribution of and Possession
) with Intent to Distribute Fentanyl; Aiding and
) Abetting
) (21 U.S.C. § 841(a)(1); 18 U.S.C. § 2)
)
) Count Three: Felon in Possession of a Firearm
) (18 U.S.C. § 922(g)(1))
)
) Counts Four and Five: Distribution of and
) Possession with Intent to Distribute Fentanyl
) (21 U.S.C. § 841(a)(1))
)
) Drug Forfeiture Allegation:
) (21 U.S.C. § 853)
)
) Firearm Forfeiture Allegation:
) (18 U.S.C. § 924(d); 28 U.S.C. § 2461(c))

INDICTMENT

COUNT ONE

Conspiracy to Distribute and to Possess with Intent to Distribute
40 Grams or More of Fentanyl
(21 U.S.C. § 846)

The Grand Jury charges:

From in or about December 2019 through the present, in Brockton, Plympton, and
elsewhere in the District of Massachusetts, the defendants,

(1) FILOMENO MONTEIRO, and
(2) CHRISTIAN COLLINS,

conspired with each other and with other persons known and unknown to the Grand Jury, to knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the offense charged in Count One involved 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(vi) is applicable to this Count. It is further alleged that, with respect to Count One, 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, were reasonably foreseeable by, and are attributable to, (2) CHRISTIAN COLLINS. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(vi) is applicable to this defendant.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

Distribution of and Possession with Intent to Distribute
Fentanyl; Aiding and Abetting
(21 U.S.C. § 841(a)(1); 18 U.S.C. § 2)

The Grand Jury further charges:

On or about January 3, 2020, in Plympton, in the District of Massachusetts, the defendants,

(1) FILOMENO MONTEIRO, and
(2) CHRISTIAN COLLINS,

did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE
Felon in Possession of a Firearm
(18 U.S.C. § 922(g)(1))

The Grand Jury further charges:

On or about January 3, 2020, in Plympton, in the District of Massachusetts, the
defendant,

(1) FILOMENO MONTEIRO,

knowing that he was previously convicted in a court of a crime punishable by imprisonment for a
term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, that is, a
Taurus .38 caliber special revolver with an obliterated serial number.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FOUR

Distribution of and Possession with Intent to Distribute
Fentanyl
(21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

On or about January 6, 2020, in Plympton, in the District of Massachusetts, the defendant,

(2) CHRISTIAN COLLINS,

did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE

Distribution of and Possession with Intent to Distribute
Fentanyl
(21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

On or about January 8, 2020, in Plympton, in the District of Massachusetts, the defendant,

(2) CHRISTIAN COLLINS,

did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 841(a)(1).

DRUG FORFEITURE ALLEGATION
(21 U.S.C. § 853)

1. Upon conviction of one or more of the offenses in violation of Title 21, United States Code, Sections 846 and 841, set forth in Counts One, Two, Four and Five of this Indictment, the defendants,

- (1) FILOMENO MONTEIRO, and
- (2) CHRISTIAN COLLINS,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendants

--

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

FIREARM FORFEITURE ALLEGATION
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

The Grand Jury further finds:

1. Upon conviction of the offense in violation of violation of 18, United States Code, Sections 922(g)(1), set forth in Count Three of this Indictment, the defendant,

(1) FILOMENO MONTEIRO,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offenses. The property to be forfeited includes, but is not limited to, the following:

a. a Taurus .38 caliber revolver with an obliterated serial number.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendants --

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code,
Section 2461.

A TRUE BILL



FOREPERSON



CHRISTOPHER POHL
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: March 11, 2020
Returned into the District Court by the Grand Jurors and filed.



DEPUTY CLERK



3-11-20

11:44 am